

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

IMPLICIT, LLC,

Plaintiff,

v.

TREND MICRO, INC.

Defendant.

Case No. 6:16-cv-00080-JRG

**JOINT NOTICE TO THE COURT  
REGARDING DISMISSAL WITH PREJUDICE**

Plaintiff Implicit LLC (“Implicit”) and Defendant Trend Micro, Inc. (“Trend Micro”) (collectively, “the parties”) hereby provide notice that, as ordered by the Court [Dkt. No. 262], a final settlement agreement was fully executed by the parties on December 8, 2017.<sup>1</sup> The settlement agreement provides 10 business days for a lump sum payment to be wired, via the Federal Reserve System, and an additional 3 business days from the date payment is received for the parties to dismiss, with prejudice, all claims, with each party to bear its own costs, attorney’s fees, and expenses.

The parties are respectful of the Court’s custom and practice regarding notification of settlement and the filing of dismissal papers and are providing notice to the Court that a joint motion to dismiss will be filed promptly upon confirmation that the wire transfer is complete and that the funds have been received, but in no event will the dismissal be filed later than December 27, 2017.

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<sup>1</sup> The parties will promptly submit to the Court under seal the executed settlement agreement upon request.

Dated: December 13, 2017

Respectfully submitted,

/s/ Melissa R. Smith

Melissa Richards Smith  
Texas State Bar No. 24001351  
melissa@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
Michael Zeliger, *pro hac vice*  
California Bar No. 271118  
Michael.zeliger@klgates.com  
Audrey Lo, *pro hac vice*  
California Bar No. 253738  
audrey.lo@klgates.com  
Ranjini Acharya, *pro hac vice*  
California Bar No. 290877  
ranjini.acharya@klgates.com  
**K&L GATES LLP**  
630 Hansen Way  
Palo Alto, CA 94304  
650.798.6700  
650.798.6701 *Facsimile*

Benjamin E. Weed, *pro hac vice*  
Illinois Bar No. 6294052  
benjamin.weed@klgates.com  
Gina A. Jenero, *pro hac vice*  
Illinois Bar No. 6320853  
gina.jenero@klgates.com  
**K&L GATES LLP**  
70 West Madison Street, Suite 3100  
Chicago, IL 60602  
(312) 372-1121  
(312) 827-8000 *Facsimile*

Ravi S. Deol  
Texas State Bar No. 24090073  
ravi.deol@klgates.com  
**K&L GATES LLP**  
1717 Main St.  
Suite 2800  
Dallas, TX 75201  
214.939.5500

214.939.5849 *Facsimile*

***ATTORNEYS FOR DEFENDANT TREND  
MICRO, INC.***

By: /s/ William E. Davis, III  
William E. Davis, III  
Texas State Bar No. 24047416  
**THE DAVIS FIRM P.C.**  
213 N. Fredonia Street, Suite 230  
Longview, Texas 75601  
Telephone: (903) 230-9090  
Facsimile: (903) 230-9661  
E-mail: bdavis@bdavisfirm.com

Benjamin L. Singer  
California State Bar No: 264295  
Adam S. Cashman  
California State Bar No: 255063  
James Hopenfeld  
California State Bar No: 190268  
Evan N. Budaj  
**SINGER / BEA LLP**  
601 Montgomery Street, Suite 1950  
San Francisco, CA 94111  
Telephone: (415) 500-6080  
Facsimile: (415) 500-6080  
bsinger@singerbea.com  
acashman@singerbea.com  
jhopenfeld@singerbea.com  
ebudaj@singerbea.com

***ATTORNEYS FOR PLAINTIFF  
IMPLICIT, LLC***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 13th day of December, 2017.

/s/ Melissa R. Smith  
Melissa R. Smith